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| APPLICATION NO.             | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------|-------------|----------------------|---------------------|------------------|
| 09/841,732                  | 04/25/2001  | Carl A. Gunter       | 53087-5002          | 6536             |
| 28977                       | 7590        | 04/29/2005           | EXAMINER            |                  |
| MORGAN, LEWIS & BOCKIUS LLP |             |                      | BAUM, RONALD        |                  |
| 1701 MARKET STREET          |             |                      | ART UNIT            | PAPER NUMBER     |
| PHILADELPHIA, PA 19103-2921 |             |                      | 2136                |                  |

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|------------------------------|------------------------|---------------------|--|
|                              | 09/841,732             | GUNTER ET AL        |  |
| Examiner                     | Art Unit               |                     |  |
| Ronald Baum                  | 2136                   |                     |  |

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 08 October 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

- 4)  Claim(s) 1-22 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-22 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

**DETAILED ACTION**

1. This action is in reply to applicant's correspondence of 08 October 2004.
2. Claims 1- 22 are pending for examination.
3. Claims 1- 22 remain rejected.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Lamming et al, U.S. Patent 6,144,997.
5. As per claim 1; "A method for managing access to a service [Abstract, figure 1 and associated description, col. 1, line 16-col. 2, line 57] comprising the steps of:
  - (A) delegating, over at least one ad hoc network in a personal area network, one or more permissions relating to the service, to a delegatee by a delegator,  
wherein the one or more permissions comprise authority  
to access the service and  
to delegate one or more further permissions to subsequent  
delegatees and are represented using a digital signature [col. 2, lines 6-57,

col. 3,lines 36-58, col. 4,lines 43-66, col. 5,lines 45-col. 6,line 11, col. 6,lines 41-51, col. 7,lines 51-62, col. 8,lines 23-col. 9,line 29, col. 9,lines 66-col. 10,line 26, col. 10,lines 49-65, col. 11,lines 6-24]; and

(B) providing access to the service to each permitted delegatee over a second computer network that is different from the personal area network [figures 1,4,5 and associated descriptions].”;

Further, as per claim 12; this claim is the system claim for the method claim 1 above, and is rejected for the same reasons provided for the claim 1 rejection.

6. Claim 2 *additionally recites* the limitation that; “The method of claim 1 further comprising the step of:

(C) synchronizing first data comprising said one or more permissions on said delegation device with second data on a receiving device.”.

The teachings of Lamming et al suggest such limitations (col. 3,lines 35-col. 6,line 11, col. 8,lines 23-col. 10,line 65);

Further, as per claim 14; this claim is the system claim for the method claim 2 above, and is rejected for the same reasons provided for the claim 2 rejection.

7. Claim 3 *additionally recites* the limitation that; “The method of claim 1 further comprising the step of:

(D) delegating one or more of said further permissions to subsequent delegates via electronic mail.”.

The teachings of Lamming et al suggest such limitations (col. 2,lines 6-57, col. 3,lines 36-58, col. 4,lines 43-66, col. 5,lines 45-col. 6,line 11, col. 6,lines 41-51, col. 7,lines 51-62, col. 8,lines 23-col. 9,line 29, col. 9,lines 66-col. 10,line 26, col. 10,lines 49-65, col. 11,lines 6-24, whereas the “satchel” paradigm corresponds to the applicants email limitation as broadly interpreted by the examiner);

Further, as per claim 13; this claim is the system claim for the method claim 3 above, and is rejected for the same reasons provided for the claim 3 rejection.

8. Claim 4 *additionally recites* the limitation that; “The method of claim 1 wherein said personal area network comprises two or more devices that transmit data by infrared light waves.”.

The teachings of Lamming et al suggest such limitations (Abstract, figure 1 and associated description);

Further, as per claim 15; this claim is the system claim for the method claim 4 above, and is rejected for the same reasons provided for the claim 4 rejection.

9. Claim 5 *additionally recites* the limitation that; “The method of claim 1 wherein said personal area network comprises two or more devices that transmit data by digital short-range radio waves.”.

The teachings of Lamming et al suggest such limitations (col. 5,lines 30-44, col. 11,lines 25-col. 12,line 57);

Further, as per claim 16; this claim is the system claim for the method claim 5 above, and is rejected for the same reasons provided for the claim 5 rejection.

10. Claim 6 ***additionally recites*** the limitation that; “The method of claim 1 wherein said second computer network comprises a public network.”.

The teachings of Lamming et al suggest such limitations (col. 4,lines 43-col. 5,line 17);

Further, as per claim 17; this claim is the system claim for the method claim 6 above, and is rejected for the same reasons provided for the claim 6 rejection.

11. Claim 7 ***additionally recites*** the limitation that; “The method of claim 6 wherein said public network comprises the Internet.”.

The teachings of Lamming et al suggest such limitations (col. 4,lines 43-col. 5,line 17);

Further, as per claim 18; this claim is the system claim for the method claim 7 above, and is rejected for the same reasons provided for the claim 7 rejection.

12. Claim 8 ***additionally recites*** the limitation that; “The method of claim 1 wherein the delegation of permission is performed using a personal digital assistant.”.

The teachings of Lamming et al suggest such limitations (figure 1 and associated description, col. 2,lines 29-38, col. 5,lines 45-col. 6,line 51);

Further, as per claim 19; this claim is the system claim for the method claim 8 above, and is rejected for the same reasons provided for the claim 8 rejection.

13. Claim 9 ***additionally recites*** the limitation that; “The method of claim 1 wherein access to the service is provided to a personal computer over said second computer network.”.

The teachings of Lamming et al suggest such limitations (figures 1,4,5 and associated descriptions);

Further, as per claim 20; this claim is the system claim for the method claim 9 above, and is rejected for the same reasons provided for the claim 9 rejection.

14. Claim 10 *additionally recites* the limitation that; “The method of claim 1 wherein said service comprises accessing content.”.

The teachings of Lamming et al suggest such limitations (col. 3,lines 35-col. 5,line 17, col. 6,lines 1-11, col. 10,lines 25-42);

Further, as per claim 21; this claim is the system claim for the method claim 10 above, and is rejected for the same reasons provided for the claim 10 rejection.

15. Claim 11 *additionally recites* the limitation that; “ The method of claim 1 wherein said service comprises actuating a device.”.

The teachings of Lamming et al suggest such limitations (col. 3,lines 35-col. 5,line 17, col. 6,lines 1-11, col. 7,lines 8-22, col. 9,lines 30-42, col. 10,lines 25-42, col. 11,lines 32- col. 12,line 57);

Further, as per claim 22; this claim is the system claim for the method claim 11 above, and is rejected for the same reasons provided for the claim 11 rejection.

#### *Response to Amendment*

16. As per applicant’s argument concerning the lack of teaching by Lamming et al of a “permission … digital signature [security implementation aspects] …”, the examiner

has fully considered the arguments and finds them not to be persuasive. The use of the document satchels, at the very least, deals with the permission aspects, while the “... communications protocol used ... security encryption ...”, clearly encompasses the digital signature aspects in that the claim language “... are represented using a digital signature ...”, as broadly interpreted by the examiner, is in itself sufficiently broad and not specific any explicit cryptographic signature technique, thereby not further patently distinguishing the claim nor overcoming the rejection. Therefore, the Lamming et al aspects of the “... communications protocol used ... security encryption ...” involved, would therefore be applicable in the rejection, such that the rejection support references collectively encompass the said claim limitations in their entirety.

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

*Conclusion*

18. Any inquiry concerning this communication or earlier communications from examiner should be directed to Ronald Baum, whose telephone number is (571) 272-3861, and whose unofficial Fax number is (571) 273-3861. The examiner can normally be reached Monday through Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached at (571) 272-3795. The Fax number for the organization where this application is assigned is 703-872-9306.

Ronald Baum

Patent Examiner



  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100